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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
SANFORD WALLACE,)
)
Defendant.)

No. CR 11-00456 EJD

STIPULATION AND ~~PROPOSED~~ ^{FILED}
ORDER CONTINUING STATUS
HEARING AND EXCLUDING TIME
UNDER THE SPEEDY TRIAL ACT

SAN JOSE VENUE

The undersigned parties respectfully request that the status hearing currently scheduled for January 23, 2012 be continued to April 9, 2012. The reason for the continuance is that Assistant United States Attorney Susan Knight will be in trial in *United States v. Qin*, CR 10-00083 PJH. In addition, the government the government recently turned over a hard drive with a voluminous amount of data that Ms. Maxwell needs to review. Furthermore, Ms. Maxwell will be in trial from early January until late March 2012. Therefore, the parties request a status appearance on April 9, 2012 and request an exclusion of time under the Speedy Trial Act from January 23, 2012 through April 9, 2012. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel. 18 U.S.C. §

1 3161(h)(7)(B)(iv).

2 SO STIPULATED:

MELINDA HAAG
United States Attorney

3
4 DATED: 1/8/12

/s/
SUSAN KNIGHT
Assistant United States Attorney

5
6 DATED: 1/8/12

/s/
K.C. MAXWELL
Counsel for Mr. Wallace

7
8
9 **ORDER**

10 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status hearing
11 scheduled for January 23, 2012 is continued to April 9, 2012.

12 The Court FURTHER ORDERS that time be excluded under the Speedy Trial Act from
13 January 23, 2012 through April 9, 2012. The Court finds, based on the aforementioned reasons,
14 that the ends of justice served by granting the requested continuance outweigh the best interest of
15 the public and the defendant in a speedy trial. The failure to grant the requested continuance
16 would deny defense counsel reasonable time necessary for effective preparation, taking into
17 account the exercise of due diligence, and would result in a miscarriage of justice. The Court
18 therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A)
19 and (B)(iv).

20 SO ORDERED.

21
22 DATED: January 10, 2012


EDWARD J. DAVILA
United States District Judge